

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 55 be amended to read as follows:

1 Page 6, between lines 9 and 10, begin a new paragraph and insert:
 2 "SECTION 6. IC 7.1-3-3-4 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. ~~Premises Described~~
 4 ~~in Application:~~ (a) The premises to be used as a warehouse by an
 5 applicant shall be described in the application for the permit. The
 6 commission shall not issue a beer wholesaler's permit to an applicant
 7 for any other warehouse or premises than that described in the
 8 application. The commission shall issue only one (1) beer wholesaler's
 9 permit to an applicant, but a permittee may be permitted to transfer his
 10 warehouse to another location within the county, upon application to,
 11 and approval of, the commission.

12 (b) As used in this subsection, "immediate relative" means
 13 father, mother, brother, sister, son, or daughter of a wholesaler
 14 permittee. Notwithstanding subsection (a), the commission, upon
 15 the death or legally adjudged mental incapacitation of a wholesaler
 16 permittee, may allow the transfer of the wholesaler permit only to
 17 an immediate relative of the wholesaler permittee who
 18 concurrently holds a majority share in a valid wholesaler permit."

19 Page 7, delete lines 30 through 42.

20 Page 8, delete lines 1 through 5.

21 Page 8, between lines 37 and 38, begin a new paragraph and insert:

22 "SECTION 10. IC 7.1-3-20-5.5 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: A veterans

1 service organization that meets the qualifications set forth in
2 section 7(a)(2) of this chapter may apply for a temporary
3 probationary veterans club permit.

4 (b) A temporary probationary veterans club permit shall be
5 issued for a period of one (1) year and may not be renewed. The
6 permit holder has all of the rights, privileges, and obligations that
7 are incident to the permit previously held by the permit holder.
8 The applicant shall pay the same annual fee that the permit holder
9 would have paid for the permit previously held by the permit
10 holder.

11 (c) The commission shall issue a temporary probationary
12 veterans club permit to an applicant if the commission finds all of
13 the following:

14 (1) The applicant is a veterans service organization that meets
15 the requirements in section 7(a)(2) of this chapter.

16 (2) The applicant previously was the holder of a permit issued
17 by the commission that was not renewed by the commission
18 because the applicant was previously found to have possessed
19 illegal gambling devices on not more than two (2) separate
20 occasions within a three (3) year period.

21 (3) Except for the violations described in subdivision (2), the
22 applicant has not committed a violation of law, including a
23 violation of the rules of the commission, within the five (5)
24 year period immediately preceding the submission of an
25 application for a temporary probationary veterans club
26 permit.

27 (4) The applicant has submitted to the commission a written
28 plan, approved by the governing body of the applicant, setting
29 forth in detail the applicant's plan to prevent violations of law
30 on the licensed premises.

31 (5) The applicant has submitted to the commission a written
32 plan, approved by the governing body of the applicant,
33 committing the applicant to complete a meaningful
34 community service project not later than the expiration of the
35 temporary probationary veterans club permit.

36 (6) The applicant has entered into an agreement with the
37 commission providing that its temporary probationary
38 veterans club permit may be immediately revoked by the
39 commission if the permit holder is cited for possession of an
40 illegal gambling device on the licensed premises.

41 (d) The commission shall renew the permit held by a veterans
42 service organization before the issuance of a temporary
43 probationary veterans club permit if:

44 (1) the permit holder has not been cited for possession of an
45 illegal gambling device and has not violated a law or rule of
46 the commission during the term of the temporary

- 1 **probationary veterans club permit;**
- 2 **(2) the permit holder has satisfactorily completed the plan of**
- 3 **community service presented to the commission; and**
- 4 **(3) the permit holder has filed with the commission the**
- 5 **required application and tendered the applicable permit fee.**

6 Renumber all SECTIONS consecutively.

(Reference is to ESB 55 as reprinted March 30, 1999.)

Representative Kuzman